

LEIF R. SIGMOND *PRO SE*
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SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION, ESSEX COUNTY
Docket No. L-1852-83E

IN RE: STATE OF NEW JERSEY	:	<u>Civil Action</u>
DEPARTMENT OF ENVIRONMENTAL	:	
PROTECTION,	:	AFFIDAVIT OF
Plaintiff	:	LEIF R. SIGMOND
VS.	:	
Scientific Comical Processing,	:	
Inc., et al	:	

I, Leif R. Sigmond does hereby certify to the following:

1. I was the President and a director of Scientific Chemical Processing, Inc. (hereinafter SCP) from December 11, 1970 to Nvember 17, 1980.
2. As a result of the June 12, 1980 Spreme Court order "that appellants immediately cease all solid waste diisposal operations, including the handling of special waste" etc plus the criminal indictment for violation of anti-pollution statucus, I deecided that I would no longer be an asset to the corporation, and therefore resigned as an officer and director on November 17, 1980 and only continued as an employce on a consulting basis to the end of the year 1980. (See Exhibit 1)
3. At the time of my resignation the control and management of SCP was taken over by Carl W. Ling who became the new President and Director.
(See Exhibit II)

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4. At the time of my resignation there were no spills, leaky drums or tanks neither at the SCP Newark nor the SCP Carlstadt location. As a matter of fact both of the locations were under daily constant surveillance by DEP personnel. They checked daily for spillage and leakage and for proper segregation and storage. No operation could be undertaken without their approval.

5. I cannot comment on the inventory prepared by Carl W. Ling for DEP since that was done after I had resigned. However, I know that as of my resignation, November 17, 1980, there were no drums containing waste at the Carlstadt plant.

6. Emergall Inc. was incorporated in N.J. on 11/8, 1973. This corporation has been inactive since 1980 and dissolution is pending. Emergall, Inc. leased four tanks within a diked area at the Newark location. Emergall, Inc. has no drums and has never had any leaks or spills.

7. Presto, Inc. was originally incorporated in New Jersey on 12/9/75 with Dominick Presto and Leif R. Sigmond as officers and directors. Presto, Inc was inactive until January 1, 1978 when both I, and Dominick Presto resigned as officers and directors and Carl W. Ling became the sole director and officer of the company. (Exhibit III & IV) The statement of Carl W. Ling that "Mr. Sigmond would have responsibility with respect to 'high gravity' decisions for all three operations" is taken out of context. He actually said that as to Presto such a decision has never been required. As a matter of fact there was never any intention that he would not operate completely independent and he actually made all of the decisions pertaining to Presto, Inc. What makes the State Hearing case so confusing is that because of this indictment against Sigmond, Barnes, and Case, none of

us (on the advice of council) could testify. Therefore Carl W. Ling's statement could not be clarified nor refuted. The fact is that as of Jan. 1978 (when Presto, Inc. was activated) Carl Ling was the President and Director. He made all decisions and at no time was I personally involved in the Presto, Inc. operation. (see affidavit of Carl Ling, Exhibit V) Unfortunately what made Carl Ling's testimony even more confusing is that since we could not testify, he had to testify for the SCP operation based on his previous experience with SCP. It is my understanding that the materials stored inside the buildings at Newark belong to Presto. Consequently I have personally no knowledge as to their content.

8. After the SCP, Energall, and Presto operations were closed in June 1980 numerous efforts were apparently made to come to an agreement with DEP as to cleanup procedure.

9. During my association with SCP no PCB's were accepted nor detected.

10. Sigmond and Presto is operated from Dominick Presto's office, 13 Glen Road, Rutherford, NJ, 07070. He has been negotiating with various firms including Olsen and Hassold for cleanup and purchase of the property. I do not know the exact status but understand that the N.J. DEP is aware of the situation. It is my understanding that Dominick Presto is also working with Carl W. Ling to establish the origins of the materials to have them returned to the generators where possible.

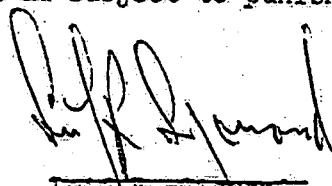
11. The spill mentioned in 1979 at Carlstadt was a one time small spill reported by SCP to the DEP. It was cleaned up immediately by SCP and the analysis prepared by the DEP never made any sense since all chlorinated solvents were handled at Newark.

12. SCP, Energall, and Presto were run as separate corporate entities with separate books, financing and ownership distribution.

13. Since I have not been involved with the Presto operation at all and not with the SCP operation since 1980 and I have not visited either the Carlstadt nor the Newark facility since then, I am not up to date as to the present situation. I was out of town and did not see the "Order to Show Cause" until May 23~~rd~~ when I returned. It seems that the goals of the State of New Jersey can better be served if Dominick Presto could arrange an orderly cleanup by one of the potential purchasers.

14. Unfortunately I am not in a position to contribute much personally both as the result of the court order and for financial reasons. I shall have to be applying for legal aid since my liabilities, particularly legal fees already exceed any assets. Furthermore the insurance companies are being contacted to determine if any coverage is applicable.

I certify that the foregoing statements made by me are true based upon my best information and belief. I am aware that if any of the foregoing statements are intentionally false that I am subject to punishment.


John W. Simpson
5/25/83